

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NICHOLAS SPIRDIONE,

Plaintiff,

v.

HEIDI E. WASHINGTON, *et al.*,

Defendants.

Case No. 22-11018

Honorable Nancy G. Edmunds

**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S
SEPTEMBER 14, 2023 REPORT AND RECOMMENDATION [128]**

This is a pro se prisoner civil rights lawsuit filed under 42 U.S.C. § 1983 by Plaintiff Nicholas Spirdione. (ECF No. 1.) The case has been referred to Magistrate Judge Patricia T. Morris for all pre-trial matters. (ECF No. 13.) Before the Court is the Magistrate Judge's report and recommendation to dismiss the unidentified John Doe Defendant. (ECF No. 128.) No party has filed objections. "[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." *See Hall v. Rawal*, No. 09-10933, 2012 U.S. Dist. LEXIS 120541, at *2 (E.D. Mich. Aug. 24, 2012) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). Nonetheless, the Court has reviewed the matter and agrees with the Magistrate Judge. Thus, the Court ACCEPTS AND ADOPTS the report and recommendation (ECF No. 128). Accordingly, the John Doe Defendant is DISMISSED WITHOUT PREJUDICE.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: October 2, 2023

I hereby certify that a copy of the foregoing document was served upon counsel of record on October 2, 2023, by electronic and/or ordinary mail.

s/Lisa Bartlett
Case Manager